

1 Lisa A. Rasmussen, Esq.
2 Nevada Bar No. 7491
3 **THE LAW OFFICES OF KRISTINA**
4 **WILDEVELD & ASSOCIATES**
5 550 E. Charleston Blvd., Suite A
6 Las Vegas, NV 89104
(702) 222-0007 (T) | (702)222-0001
Email: Lisa@VeldLaw.com

7 Attorneys for Defendant Sylviane Whitmore
8

9 **UNITED STATES DISTRICT COURT**
10

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,

Case No.: 2:17-cr-110 APG-DJA

13 Plaintiff,

14 vs.

16 PHILIP HURBACE,

**STIPULATION TO EXTEND
DEADLINE TO FILE REPLY; AND TO
CONTINUE SENTENCING HEARING
DATES**

17 SYLVIANE WHITMORE,

18 LARRY McDANIEL,

19 Defendants.
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21 The parties, Phillip Hurbace, by and through his counsel, Osvaldo Fumo, Esq.,
22 Sylviane Whitmore, by and through her counsel, Lisa A. Rasmussen, Larry McDaniel,
23 by and through his counsel, Daniel Hill, and the United States, by and through its
24 counsel, Assistant United States Attorney Richard Anthony Lopez, hereby stipulate as
25 follows:
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27

28 STIPULATION TO EXTEND DEADLINE TO FILE REPLY; AND TO CONTINUE SENTENCING HEARING
DATES - 1

1. Presently, Defendants' Reply to their Motion for New Trial is due on today's date.

2. Defense counsel seek an 18 day extension of this deadline, to September 16, 2022.

3. The government does not oppose this extension of time.

4. Presently, all three defendants are scheduled to be sentenced on September 22, 2022 at 10:30 am (Hurbace); 1:30 pm (McDaniel) and 2:30 pm (Whitmore). Due to the extension requested herein and to provide the court sufficient time to rule on the pending Motion for New Trial, and the potential impact on any sentence for Whitmore and McDaniel, the parties stipulate that it in the best interest to continue the sentencing dates to a date not earlier than December 2022.

5. Denial of this request would cause prejudice to the Defendants Whitmore and McDaniel and this request for an extension of time is not made for the purpose of delay.

Dated this 29th day of August 2022.

The Law Offices of Kristina Wildeveld & Associates,

/s/ *Lisa A. Rasmussen*

LISA A. RASMUSSEN, ESQ.

Counsel for Sylviane Whitmore

Hill Law Firm,

/s/ *Daniel Hill*

DANIEL HILL, ESQ.

Counsel for Larry McDaniel

1 **Pitaro & Fumo**
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3 */s/ Osvaldo Fumo*
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5 **OSVALDO FUMO, ESQ.**
6 Counsel for Phillip Hurbace
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8 **JASON FRIERSON,**
9 **United States Attorney**
10 **District of Nevada**

11 */s/ Richard Anthony Lopez*
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13 **BY: RICHARD ANTHONY LOPEZ**
14 Assistant United States Attorney
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16 **ORDER**
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18 Pursuant to the Stipulation of the parties, and good cause appearing,
19 IT IS HEREBY ORDERED that the deadline for Defendants to file their Reply to
20 the Motion for New Trial is hereby extended to September 16, 2022.
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22 IT IS FURTHER ORDERED that the sentencing dates presently scheduled for
23 10:30 a.m., 1:30 p.m. and 2:30 p.m. on September 22, 2022 are hereby reset to:
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25 9:00 a.m. on January 19, 2023, for Phillip Hurbace;
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27 1:30 p.m. on January 19, 2023, for Larry McDaniel; and
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2:30 p.m. on January 19, 2023, for Sylviane Whitmore.

29 Dated: August 30, 2022



30 The Honorable Andrew P. Gordon
31 United States District Judge
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